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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,364	09/16/2003	Juha Salokannel	4208-4157	9423

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EXAMINER

GESESSE, TILAHUN

ART UNIT PAPER NUMBER

2618

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/662,364	<b>Applicant(s)</b> SALOKANNEL ET AL.	
	<b>Examiner</b> Tilahun B. Gesesse	<b>Art Unit</b> 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/30/05; 8/10/05 and 9/16/03</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2,6-12,16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Litwin (US pub. No.2003/0195019).

Claim 1, Litwin teaches a method of implementing a wireless network having a plurality of devices in which one of the devices coordinates wireless communications between the devices, ( Pico net 410 with master 412) coordinates slaves 414 and 416) (see fig.4 and page 1, para 0016) comprising:

Litwin teaches evaluating device parameters of one or more of the plurality of devices, the device parameters including at least an available power source capacity for a device (monitoring the power level of its power source, below threshold and slave devices with power level above threshold, see fig. 3).

Litwin teaches determining a coordinator from the plurality of devices based on at least the available power source capacity for the one or more of the plurality of

devices, the coordinator adapted to coordinate wireless communications between the devices in the wireless network (master polls other devices to inquire about their power levels, and transfer (coordinating) master to the other device (slave device), see figs.3-4 and page 2, para 0025-page 3, para 0030).

Claim 2, the coordinator is a Pico net coordinator (PNC) (networks (410 , 420,430 and 440 are consider Pico net and master coordinator for the network,, see figs 3-4).

Claim 6 , Litwin teaches initiating based on a triggering event (master communicates with slaves , see fig. 4 when the battery power level either above or below the threshold)

Claim 7, Litwin teaches the triggering event occurs when an available power source capacity of a current coordinator is less than a predetermined threshold (see fig. 3 ).

Claim 8, Litwin teaches the triggering event occurs when a current coordinator prepares for departure from the wireless network (when the power level is below the threshold of the master, see fig. 3, page 1 para 0016).

Claim 9. Litwin teaches the triggering event is a new device joining the wireless network (see figs. 4 and 3 item #316).

Claim 10. Litwin teaches directing the determined coordinator to coordinate wireless communications between the devices in the wireless network (see page 1 para 0016).

Claims 11-12. Litwin teaches are implemented during

formation of the wireless network (see fig.4).

Claims 16-17 and 19. Litwin teaches a wireless communications device ( see figures 3-4 and abstract) comprising:

Litwin teaches a wireless communications portion for communicating with a plurality of remote devices in a wireless network (network 420 with slaves 424,426,428 of fig.4)

Litwin teaches a processor ((102 CPU of fig.1).

Litwin teaches a memory (106 and 108 of fig.1).

Litwin teaches a processor that executes instructions stored in the memory for coordinating wireless communications between the devices, (page 2 para 0021 and fig.1).

Litwin teaches evaluating device parameters of at least one of the plurality of devices, (see fig.3, monitors its power level).

Litwin teaches the device parameters including at least an available power source capacity, (see power level of the master and fig.3) and

Litwin teaches determining a coordinator from the plurality of devices based on at least the available power source capacity for the at least one of the plurality of devices, the coordinator adapted to coordinate wireless communications between the devices in the wireless network (see figs 3-4).

Claim 18. Litwin teaches A computer program product comprising a computer useable medium having computer program logic recorded thereon for implementing a

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wireless network having a plurality of devices in which one of the devices coordinates wireless communications between the devices, (computer program product operates in the master in order to monitor the power level and polls the other devices to handover to the coordinating function , as shown in figs. 3-4) comprising:

Litwin teaches evaluating device parameters of at least one of the plurality of devices, the device parameters including at least an available power source capacity for a device (monitoring the parameters of the master or power level upon below threshold handover and becomes slave, see fig.3).

Litwin teaches determining a coordinator from the plurality of devices based on at least the available power for the at least one of the plurality of devices, the coordinator adapted to coordinate wireless communications between the devices in the wireless network (see figs. 3-4, and page 2 para 0025-0030).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Litwin in view of Karaoguz (2004/0203989).

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Claims 3-5 , Litwin does not teach performing Ultra Wideband (UWB) communications between the devices , performing Bluetooth communications between the devices and performing IEEE 802.15.3 communications between the devices.

However, Karaoguz teaches performing Ultra Wideband (UWB) communications between the devices , performing Bluetooth communications between the devices and performing IEEE 802 communications between the devices (see page 1, para 0003).

Both Litwin and Karaoguz teach ah hoc network or communication devices that communicate with short range with out central network. Then, it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to use Ultra Wideband , IEEE 802 and Bluetooth operating devices in the Litwin system ,as evidenced by Karaoguz , in order to minimize the cost of installing central network.

5. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Litwin in view of Stanforth et al (US 2003/0040316).

Claims 13-15, Litwin does not teach storing a plurality of priorities, wherein each priority has one or more corresponding device parameters ,assigning one of the priorities, wherein the assigned priority and the corresponding device have matching device parameters and selecting as the coordinator, a device from the one or more devices having the highest assigned priority.

However, Stanforth teaches an ad hoc network and evaluates battery status priority of device power level routes data (see page 5, para 0046-0052). Both Litwin

and Stanforth teaches ad hoc network, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to improve by prioritizing based on power level of devices, Litwin system, as evidenced by Stanforth , for delivering data without being corrupted or lost a devices with higher power level.

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

6/9/06  
*Tilahun Geesse*  
TILAHUN GESESSE  
PRIMARY EXAMINER